

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: EISENBACH=5

In re Application of:  
Michael EISENBACH, et al.  
Serial No. 10/573,412  
IA Filing Date: September 25, 2003  
For: APPARATUS AND METHOD FOR SELECTING...

) Application Division  
) **ATTN: PCT**  
) Washington, D.C.  
) Confirmation No. 2954  
) Date: August 18, 2003 Monday

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office  
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Randolph Building, Mail Stop Missing Parts  
401 Dulany Street  
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated June 17, 2008. Attached hereto is/are:

- [ XX ] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, international application number and international filing date.  
[ XX ] Supplemental Application Data Sheet  
[ ] Additional fees as calculated below:

[ ] Search fee		\$
[ ] Examination fee		\$
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X <b>\$260.00</b>	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
- 20 =		X \$ <b>50.00</b>
- 3 =		X <b>\$210.00</b>
Multiple Dependent Claims (if applicable)		+ <b>\$370.00</b>
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$>
<b>SUBTOTAL</b>		\$
Processing fee of <b>\$130.00</b> for late furnishing of the English translation.		\$
<b>TOTAL NATIONAL FEE</b>		\$

- [ ] Surcharge for late filing of English translation \$ 130.00  
[ ] Late filing of Declaration surcharge in the amount of:  
    Small Entity [ ] \$65.00 Other than Small Entity [ ] \$130.00  
[ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).  
The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- |                             |                             |
|-----------------------------|-----------------------------|
| Small Entity                | Other Than Small Entity     |
| Response Filed Within       | Response Filed Within       |
| [ ] First - \$ 60.00        | [ ] First - \$ 120.00       |
| [ ] Second - \$ 230.00      | [ ] Second - \$ 460.00      |
| [ ] Third - \$ 525.00       | [ ] Third - \$1,050.00      |
| [ ] Fourth - \$ 820.00      | [ ] Fourth - \$1,640.00     |
| [ ] Fifth - \$1,115.00      | [ ] Fifth - \$2,230.00      |
| Month After Time Period Set | Month After Time Period Set |

**[XX]** Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

- [ ] Submitted herewith is a Credit Card Authorization, authorizing payment in the amount of \$ .00 is enclosed to cover the fees.  
[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.  
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RSJ:btm

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